

SAS:sas 07/20/04 292446  
PATENT

Attorney Reference Number 6915-66815-01  
Application Number 09/955,407

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-34 (canceled).

Claims 20-34 (canceled).

Claim 35 (currently amended): ~~The method of claim 1,~~ A method of identifying a preferred liver transplant donor, comprising determining in both alleles of an individual the presence or absence of a preferred genotype at a polymorphic site, wherein said preferred genotype is a guanine (G) at position -380 in a gene encoding TNF- $\alpha$  relative to the transcription start site, and wherein said preferred genotype is associated with decreased activity of tumor necrosis factor  $\alpha$  (TNF- $\alpha$ ), wherein the presence of said preferred genotype indicates that said individual is a preferred liver transplant donor.

Claim 36 (currently amended): ~~The method of claim 13,~~ A method for selecting a preferred liver for transplantation, comprising

(a) determining in one or more potential liver donors the presence or absence of a preferred genotype at a polymorphic site, said preferred genotype associated with altered activity of tumor necrosis factor- $\alpha$  (TNF- $\alpha$ ), wherein said preferred genotype is a guanine (G) at position -380 relative to the transcription start site in both alleles in a gene encoding TNF- $\alpha$

(b) harvesting a liver, or functional portion thereof, having the preferred genotype; thereby selecting a preferred liver for transplantation.

Claim 37 (currently amended): A method of identifying a preferred liver transplant donor, comprising

SAS:sbs 07/20/04 292446  
PATENT

Attorney Reference Number 6915-66815-01  
Application Number 09/955,407

determining in an individual a presence or an absence of a preferred genotype at a polymorphic site, wherein said preferred genotype comprises a guanine (G) at position -380 relative to the transcription start site in both alleles in a tumor necrosis factor (TNF)  $\alpha$  promoter, wherein the presence of said preferred genotype indicates that said individual is a preferred liver transplant donor.

Claim 38 (currently amended): A method for selecting a preferred liver for transplantation, comprising

determining in one or more potential liver donors the presence or absence of a preferred genotype at a polymorphic site, wherein said preferred genotype comprises a guanine (G) at position -380 relative to the transcription start site in a tumor necrosis factor (TNF)  $\alpha$  promoter; and

harvesting a liver, or functional portion thereof, having said preferred genotype in both alleles;

thereby selecting said preferred liver for transplantation.

Claims 39 (currently amended): The method of claim ~~43~~ 36, further comprising the step of:

(c) transplanting said liver, or functional portion thereof, into a recipient.

Claim 40 (previously presented): The method of claim 39, wherein said recipient is infected with hepatitis C virus.